

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

RAYFORD ELTON LEACH, #416541	§	
VS.	§	CIVIL ACTION NO. 9:08cv227
TEXAS BOARD OF PARDONS AND PAROLES, ET AL.	§	

ORDER OF DISMISSAL

Plaintiff Rayford Elton Leach, previously an inmate confined in the Texas prison system and currently on parole, proceeding *pro se* and *in forma pauperis*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation concluding that the lawsuit should be dismissed. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit.

It is noted that the present civil rights lawsuit is the second time the Plaintiff has sued the Parole Board for engaging in the allegedly unlawful practice of psychology and forensic psychology in considering him for parole. His previous lawsuit was dismissed as frivolous. *Leach v. Garrett*,

Civil Action No. 9:07cv287 (E.D. Rex. Dec. 17, 2007). He may not repeatedly file the same claims in multiple lawsuits. *See Mayfield v. Collins*, 918 F.2d 560, 561 (5th Cir. 1990); *Bailey v. Johnson*, 846 F.2d 1019, 1021 (5th Cir. 1988). In his objections, he also alleged that the Defendants violated state criminal laws. Federal courts are concerned with violations of federal law, as opposed to state law. *Snowden v. Hughes*, 321 U.S. 1, 11 (1944); *McDowell v. Texas*, 465 F.2d 1342, 1346 (5th Cir.), *aff'd en banc*, 465 F.2d 1349 (5th Cir. 1971), *cert. denied*, 410 U.S. 943 (1973). If the Plaintiff believes that state laws have been violated, he may pursue relief in state court, as opposed to this court. Overall, the Plaintiff's lawsuit is frivolous and should be dismissed. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the cause of action is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i)&(ii). It is further

ORDERED that all motions by either party not previously ruled on are hereby **DENIED**.

So **ORDERED** and **SIGNED** this **6** day of **January, 2009**.



Ron Clark, United States District Judge